IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 13247 of 1998

Dated: 22.02.2007

Between:
1.Akkineni Satyanarayana, S/o Purnachandra Rao,
37 years, Mandalapalli (v), Dammapeta Mandal,
Khammam District and 5 others.

..... PETITIONERS

AND
1.The District Collector, Khammam District and
2 others. …RESPONDENTS

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO. 13247 of 1998

ORDER:

This writ petition is filed seeking a Writ of Mandamus declaring the action of the respondents in dispossessing the petitioners from the lands in Sy.Nos.265/1, 291/1, 265/19, 290/7, 290/1, 265/16 and 265/18 of Akenepalli village, Dammapeta Mandal, Khammam District, as illegal and arbitrary and consequently direct the respondents not to dispossess the petitioners from the lands in question.

A detailed counter-affidavit has been filed on behalf of the respondents stating that no such action has been initiated against the petitioners under Land Encroachment Act and whenever the land is required they would follow due process of law and issue necessary notice under Section 7 of the A.P. Encroachment Act.

Having regard to the statement made in the counter-affidavit, this Court is of the view that the petitioners filed the present writ petition merely on apprehension. I do not find any merit in this writ petition.

The Writ Petition is accordingly dismissed. However, it is made clear that if the respondents want to dispossess the petitioners from the lands in question, the same shall be done only after following due process of

law. No costs.

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(GOPALA KRISHNA TAMADA, J)

22-02-2007
Gsn.